

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

LARRY FITZPATRICK,)	Case No.: 2:07-CV-528
)	
Plaintiff,)	CITY OF MONTGOMERY'S EXHIBIT
)	LIST
vs.)	
)	
CITY OF MONTGOMERY,)	
)	
Defendant)	

Comes now the City of Montgomery, Defendant in the above-styled action, and submits the following exhibit list pursuant to Rule 26(a)(3) of the Federal Rules of Civil Procedure. The following exhibits are available for inspection and copying by the Plaintiff upon reasonable notice to the undersigned Counsel for the Defendant:

1. Recommendation for Disciplinary Action with Attachments, Jan. 13, 2006.
2. Notification of Dismissal
3. Work Order and repair history for vehicle 6210-2950
4. February 9, 2005 letter to J. R. Smith directing him to counseling
5. Employee Counseling Record, J. R. Smith, 10/25/04
6. Employee Counseling Record, Larry Fitzpatrick, 10/25/04
7. Employee Counseling Record, Larry Fitzpatrick, 10/25/04
8. Work Order and Repair History of vehicle 062-010
9. Damaged brake caliper assembly (photograph may be offered in place of actual part)
10. Damaged rotor assembly (photograph may be offered in place of actual part)
11. Damaged wheel (photograph may be offered in place of actual part)
12. Photographs of damaged wheel lugs and wheel.

13. Photographs of fuel pump and hat seal (to be marked collectively).

14. Video demonstrating proper installation method for rear brake caliper assembly on a Ford Crown Victoria.

15. Any Exhibit on Plaintiff's List of Exhibits

16. Any Exhibit needed for impeachment or rebuttal

17. Any Exhibits discovered hereafter

The Defendants, reserve the right to amend this exhibit list if necessary.

Respectfully submitted

/s/ Wallace D. Mills
WALLACE D. MILLS (MIL090)
Assistant City Attorney

CITY OF MONTGOMERY
Legal Department
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CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of June, 2008, I electronically filed the foregoing with the Clerk of the court using the CM/ECF system which will send notification of such filing to the following parties or counsel:

Joseph C. Guillot, Esq.
McPhillips, Shinbaum LLP
P.O. Box 64
Montgomery, AL 36101-0064

and I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants:

/s/Wallace D. Mills
Wallace D. Mills
Assistant City Attorney
103 North Perry Street
Montgomery, AL 36104